
MANAGEMENT

ALTERNATE WORK SCHEDULES

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PURPOSE This guide describes Center policies and procedures governing the Alternative Work Schedule (AWS) program and supersedes all previous editions of CDER SMG 3115.3.

BACKGROUND

- The AWS program provides individuals with the flexibility to schedule their work time to accommodate their needs without materially disrupting the conduct of the Center's business.
 - FDA has revised its policies regarding core hours and flexible bands. The new policies allow the Centers to establish their own flexible bands, staying within the established parameters, or to adopt FDA's new policy. Center Office Directors will determine the needs of his/her office and modify the Center's plan as appropriate.
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REFERENCES

- FDA's Master Plan for Alternative Work Schedules (1995)
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DEFINITIONS

- **Alternative Work Schedules.** Any work schedule other than a designated fixed work schedule.

- **Basic Work Requirement.** The number of hours an employee is regularly scheduled to work, i.e., full-time employees, 40 hours in a week or 80 hours in a biweekly pay period; for part-time employees, fewer than 40 hours (but not less than 16 hours or more than 32 hours) in a week or fewer than 80 hours in a biweekly pay period.
- **Core Hours.** The time during the workday, workweek, or pay period within the tour of duty during which an employee covered by a flexible (not compressed) work schedule must be present for work.
- **Compressed Work Schedule.** Employees fulfill the requirement of working 80 hours in a biweekly pay period over a span of eight or nine work days, i.e., 5-4/9 (work 9 hours for 5 days of the first week and 4 days the next week with 1 day off) or 4/10 (work 4 days for 10 hours each week with 1 day off a week). This is a fixed schedule with a predetermined starting and ending time for each workday in the pay period, and the same day off each pay period. No credit hours may be earned by employees on a compressed work schedule.
- **Credit Hours.** Hours worked in excess of the basic work requirement used to vary the length of a workday.
- **Flexible Bands.** The time during the workday, workweek, or pay period within the tour of duty during which an employee may choose to vary his/her times of arrival to and departure from the work site. These time frames also provide time in which credit hours may be earned.
- **Maxiflex** (a.k.a. flexitime). Work is performed within the designated flexible band of hours and employees must be present for work or on approved leave during the designated core hours. Employees are allowed, with supervisory approval, to earn credit hours during the flexible bands.
- **Overtime Work.** Work that is officially ordered and approved in advance and performed outside the employee's official work schedule.

POLICY

- This guide defines the broadest parameters under which CDER can operate. Each Office must establish internal procedures within the bounds of these limits and submit a plan to the Director, Office of Management, CDER.
- The maximum flexible bands that can be permitted in CDER are as follows:

Maxiflex Schedule:

Mon & Fri	5:00 a.m. to 12:30 a.m.
Tues, Wed, & Thurs	5:00 a.m. to 10:00 a.m.; 2:00 p.m. to 12:30 a.m. (core hours = 10:00 a.m. to 2:00 p.m.)

Sat & Sun 5:00 a.m. to 6:00 p.m. (credit hours may be earned)

Compressed Work Schedule:

Mon through Fri 6:00 a.m. to 6:00 p.m.
Sat & Sun None

- Full-time and part-time employees, including Title 38 employees, are eligible to participate in any of the alternative work schedules. However, Commissioned Corps Officers are not eligible to work a compressed work schedule. SES employees may not participate in a compressed work schedule unless the entire work unit closes on the same workday(s) every pay period. In all cases, the alternative work schedule options available to eligible employees will depend on coordinating employee schedules so that adequate office coverage is maintained and work operations are enhanced or not hindered.
- Requests to participate in an alternative work schedule may only be approved by the employee's Office Director.
- **Credit hours may not be earned by Commissioned Corps Officers, SES employees, or Title 38 employees.** A maximum of 24 credit hours may be accumulated and carried forward from one pay period to the next for full-time employees only. Part-time employees may carry forward credit hours up to 1/4 of their official tour of duty hours as recorded on their SF-50. **Any credit hours in excess of the amount allowed to be carried forward to the next pay period are lost.** Credit hours must be earned in advance and may be used just like annual leave, with the advance approval of the supervisor. Credit hours do not convert to pay.
- Overtime work must be in excess of the employee's scheduled tour of duty. SES and Title 38 employees are not eligible to earn overtime.
- Time off during an employee's basic work requirement must be charged to the appropriate leave category for the number of hours the employee is scheduled to work that day (i.e., 10 hours for a regularly scheduled 10 ½ hour day; 9 hours for a 9 ½ hour day; and 8 hours for an 8 ½ hour day). The minimum charge for leave is one-quarter hour and additional charges are in multiples thereof.
- All employees on any type of alternative work schedule other than a compressed work schedule will be required to account for their time through use of a designated time accounting system, i.e., a time clock, sign in/out system. If an employee is on a fixed tour, he/she may be required to use a time recordation system by the supervisor. Employees must not sign or punch time clocks in/out for other employees.
- In all cases, the AWS options available to employees will depend on coordinating

employee schedules so that adequate office coverage is maintained and work operations are not hindered.

- Employees' AWSs may temporarily be withdrawn or modified by a supervisor for a specified period of time based on anticipated or emergency workloads. Advance notice of at least one week should be given to the employees if circumstances permit.
- A full-time employee is entitled to receive pay for a Government holiday in accordance with his/her regular work schedule for that day.
- When a holiday falls on an employee's workday, the employee gets that day off. When the holiday falls on a non-workday, the employee gets a day off "in lieu of" the holiday. The "in lieu of" day is based on the weekday on which the legal public holiday actually falls. If it is Sunday, an employee gets the next scheduled workday off. If, however, it is any day other than Sunday, the employee gets the last workday prior to the holiday as the day off "in lieu of" the holiday. For example, if a holiday falls on Monday, an employee regularly scheduled to work on Monday would get that day off, whereas an employee who is normally off on Mondays would get the Friday before as the day off "in lieu of" Monday.
- For purposes of excused absence from duty without charge to leave for voting and registration, it will be assumed that all employees are working the official Agency work hours (8:00 a.m. to 4:30 p.m.). If the polls are open three hours prior to the regular Agency opening or close at least three hours after regular business hours, excused absence will not be granted.
- Employees on alternative work schedules will be treated the same as employees on fixed work schedules for purposes of hazardous weather and emergency situations. When inclement or hazardous weather or other emergency situations result in the Agency determining an employee covered by an AWS was required to spend an inordinate amount of time commuting, the amount of time to be excused (up to two hours) should be based upon the amount of extra time it took the individual employee to commute to work. If the government closes for the full work day, which is the scheduled day off for an employee on a compressed schedule, the employee may not substitute another day in lieu of his/her official day off.

RESPONSIBILITIES

- **Center Director will:**

Review the Center's AWS plan at least annually and decide whether to continue, modify, or terminate it. Any changes to the existing plan should be submitted to OHRM for reporting purposes.

- **Office Directors will:**

1. Determine the needs of employees and to what extent AWSs should be implemented in the Office.
2. Develop an AWS supplemental plan or adopt the Center's plan and distribute to all employees in the Office.
3. Review the Office's AWS supplemental plan at least annually and decide whether to continue, modify, or terminate it. Any changes should be submitted to the Director, OM.
4. Approve all AWS requests and/or modifications in the Office taking into account work load requirements and office functions as well as considering the impact on the schedules of other employees. Approval of employee requests to work a compressed schedule are to be based on the following:
 - a. Adequate office coverage is available on the requested day(s) off, and can be managed effectively for the pay period. The employee's specific functions can be covered on the requested day off; and
 - b. Employee's position does not normally require travel or other work requirements which preclude a regularly scheduled day off every pay period.

- **Supervisors will:**

1. Determine on a continuing basis when the work requirement of certain positions preclude employees in those positions from participating in the maxiflex and/or compressed work schedules.
2. Consider each employee's preference and determine the appropriate schedule for each employee, based on the needs of the office, workload requirements, and the request of other employees.
3. Determine if travel or training will have an impact on employees who are on a compressed work schedule. If so, require the employee to revert to an 8:00 a.m. to 4:30 p.m. schedule for the duration of the travel or training.

- **Employees will:**

1. Submit a written request to the supervisor to participate in or change a compressed work schedule. The request must be submitted in advance before starting a compressed work schedule or changing an approved existing schedule.

2. Account for their time through use of a designated time accounting system, such as a time clock or a sign in/out system.

- **Division of Management Services, Office of Management will:**

1. Provide information and guidance to Center employees on AWS policies and procedures.
 2. Review Office supplemental plans for adherence to Center policies before submitting to Director, OM for clearance.
 3. Maintain a record of all Office supplemental plans.
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REDELEGATION

The Center Director has redelegated authority to approve AWS requests to Office Directors with no further redelegation authorized.

EFFECTIVE DATE

This guide is effective upon date of publication.